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*Attorneys for Ralph C. Dawson, as Receiver for  
Defendant Ascot Partners, L.P., and Ascot Fund  
Ltd.*

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

In re:

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Adv. Proc. No. 08-01789 (SMB)

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

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## SIPA LIQUIDATION

(Substantively Consolidated)

Debtor.

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PERTAINS TO THE FOLLOWING CASE:

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IRVING H. PICARD, Trustee for the  
Liquidation of Bernard L. Madoff Investment  
Securities LLC,

⋮

Plaintiff,

$$\vdots$$

Adv. Proc. No. 09-1182 (SMB)

-V-

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J. EZRA MERKIN, GABRIEL CAPITAL,  
L.P., ARIEL FUND LTD., ASCOT  
PARTNERS, L.P., ASCOT FUND LTD.,  
GABRIEL CAPITAL CORPORATION,

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Defendants.

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**NOTICE OF MOTION *IN LIMINE* TO EXCLUDE  
TESTIMONY OF MEAGHAN SCHMIDT**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of Defendants' Motion *in Limine* to Exclude Testimony of Meaghan Schmidt, the Declaration of Judith A. Archer, dated April 7, 2017, and the exhibit thereto, and all pleadings, papers and proceedings filed in this action, Defendants Ascot Partners, L.P., through its Receiver, Ralph C. Dawson, Ascot Fund Ltd., J. Ezra Merkin and Gabriel Capital Corporation, shall move this Court for an Order excluding the testimony of Meaghan Schmidt as to the authentication of BLMIS books and records pursuant to Federal Rules of Evidence 602 and 901, made applicable to this adversary proceeding by Federal Rules of Bankruptcy Procedure 9017.

PLEASE TAKE FURTHER NOTICE that a hearing on the Motion will be held before the Honorable Stuart M. Bernstein, United States Bankruptcy Judge, at a date and time as scheduled by the Court, at the United States Bankruptcy Court, Southern District of New York, One Bowling Green, New York, New York 10004-1408.

PLEASE TAKE FURTHER NOTICE that answering papers, if any, to the Motion shall be filed with the Bankruptcy Court no later than May 10, 2017, and reply papers, if any, shall be filed with the Bankruptcy Court no later than June 6, 2017.

Dated: April 7, 2017  
New York, New York

NORTON ROSE FULBRIGHT US LLP

By: /s/ Judith A. Archer

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